

REMARKS

As a preliminary matter, Applicant has amended claims 8, 17, and 26, without adding new matter, to correct the typographical errors noted by the Examiner. Applicant has also amended page 3 of the specification to correct a typographical error not noted by the Examiner. No new matter has been added. In light of the amendments, Applicant requests that the Examiner withdraw the objections to the claims.

The Examiner rejected claim 28 under §101 for allegedly being directed to non-statutory subject matter. Applicant disagrees, but has amended the preamble of claim 28 in an attempt to address the Examiner's concerns. As amended, claim 28 is now directed to a computer readable medium having logic stored thereon that is configured to control the mobile communication device according to one embodiment of the present invention. No new matter has been added. In light of the amendment, Applicant requests that the Examiner withdraw the §101 rejection.

The Examiner also rejected claim 1 under §102 as being anticipated by Kraft. In response, Applicant has amended claim 1. Claim 1 is directed to a method of accessing functions in a mobile communication device. The method dynamically updates an event list whenever a new event occurs by adding the event to the event list. Because the method associates multiple occurrences of an event (i.e., a plurality of unread SMS messages) with a single event on the event list, the method will only automatically remove events if two criteria are met. First, the user must have responded to the event. Second, the event must be the last event associated with a category of similar events on the event list. *E.g., Spec., p. 13, ln. 22 – p. 14, ll. 13.*

Kraft discloses a “Redo/Undo” function for a cellular telephone. In Kraft, user items such as missed calls are added to what the Examiner equates to the claimed “event list.” (*E.g., Kraft, Figure 4, reference #18 – “1.10 Missed calls”*). Assuming *arguendo* that this list is an event list,

the user may “redo” a desired item on the list (i.e., call a missed-call party) by invoking the list and navigating menus to select the telephone number/party of a missed call. Once the user responds to the missed call number Kraft removes the number from the missed call list.

Although Kraft removes the individual missed call numbers from their respective lists (see *Kraft*, col. 7, ll. 28-33), Kraft does not disclose deleting the missed call item (i.e., “1.10 Missed calls”) from the “event list” only after the user has responded to the last missed call. In contrast, Kraft appears only to delete these items based on the number of available positions on the list, and/or on the length of time the items have been on the list. That is, Kraft either “shifts” the list items and deletes the last item (see *Kraft*, col. 6, ll. 19-25), or deletes the oldest item on the list (see *Kraft*, col. 6, ll. 35-36). This does not teach automatically deleting an event from an event list only after the user responds to the event, and only if there are no more events associated with that category of events.

Accordingly, neither amended claim 1 nor any of its remaining dependent claims are anticipated by Kraft.

The Examiner also rejected independent claims 10, 19, and 28 under §102 as being anticipated by Kraft for substantially the same reasons as those cited for claim 1. However, claims 10, 19, and 28 have all been amended to now recite language similar to that of claim 1. Accordingly, for reasons similar to those stated previously, Kraft does not anticipate any of claims 10, 19, and 28, or any of their dependent claims.

Finally, Applicant has withdrawn claims 29-34, but only to comply with the Examiner’s restriction requirement.

In light of the foregoing amendments and their accompanying remarks, Applicant respectfully requests the allowance of all pending claims.

Respectfully submitted,

COATS & BENNETT, P.L.L.C.


Stephen A. Herrera
Registration No.: 47,642

P.O. Box 5
Raleigh, NC 27602
Telephone: (919) 854-1844
Facsimile: (919) 854-2084

Dated: April 18, 2007